

**ALEXANDRIA TOWNSHIP COMMITTEE
WORKSHOP MEETING
MINUTES
October 28, 2020**

This meeting was advertised in The Hunterdon Democrat notice posted in the Alexandria Township Municipal Offices and the Alexandria Township Website (www.alexandrianj.gov) as required by the Open Public Meetings Act. In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et, seq., and in consideration of Executive Order No. 103, issued by Governor Murphy on March 9 ,2020, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, the State of New Jersey does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government, the meeting of the Mayor and the Township Committee scheduled October 28, 2020 will be held electronically only. Members of the public who wish to participate in the meeting may do so by calling 1-978-990-5000 and followed by meeting number Access Code: 333891 at 6:00 PM. Individuals calling into this number will be able to fully participate in the meeting, including providing public comment. A non-public dial in number will be used if executive session is required.

Meeting Called to order at 6:00 PM.

ROLL CALL

PRESENT: Mayor Plumer, Committeeman Pfefferle, Committeeman Kiernan, Twp. Atty. Dragan

ABSENT: None

FLAG SALUTE

Mayor Plumer led the flag salute.

NEW BUSINESS

- Stan Prater, JCP & L Storm Re-Cap

JCP&L Representative Stan Prater for Alexandria Township discussed the storm related events that unfolded during Tropical Storm Isaias at the beginning of August. Mr. Prater emphasized the importance of residents doing tree trimming maintenance on dead and hazardous trees located on their property. JCP & L continues to perform their regular tree trimming maintenance throughout the Township in the Right-of-Ways. A lot of trees outside of the JCP&L Right of Way caused some of the power outages during the last storm which is why Mr. Prater emphasized that residents must do their due diligence as well. Residents must always call when they have a power outage. Residents should not depend on neighbors to contact JCP&L during an outage as they could be on a different transmission line. The Township Committee addressed areas of concern that impact the

Township when unique situations are present or are reoccurring problems during power outages. Mr. Prater noted that during a significant storm out of state crews are brought in. If Township Representatives such as the DPW or the OEM Coordinator can relay these unique situations to the lineman, it will be greatly appreciated. Mayor Plumer noted that JCP&L has made great improvement from Super Storm Sandy and there was good communication with the County regarding road closures.

- Ordinance 2020-5 Entitled “Special Event License Ordinance” and Establishing Local Licensing Procedures and Requirements for Commercial Agri-Tourism Special Events Including Definitions, Notification Requirements, Requirements for Control of Traffic and parking, Buffering, Lighting, Noise, Signs, and Requirements to prevent Nuisance Conditions and Including Provisions for Appeals-**1st Reading**

Note: Township Engineer Decker and Township Planner Banisch were present for the discussion on Ordinance 2020-5 for Special Event Licenses.

Township Planner Banisch noted that the Township recognizes that residents are conducting residential commercial activities on their properties to supplement their farm income. The proposed ordinance would afford residents the ability to apply for a Special Event License that would best suit their event. The ordinance provides for two license options:

- 1.) Minor Event-defined as a special event that involves traffic and parking of approximately 25 vehicles or less and/or approximately 50 or fewer attendees, customers, or visitors on site at a given time.
- 2.) Major Event-defined as a special event that involves traffic and parking of more than 25 vehicles or 50 or more attendees, customers, or visitors on site at a given time. A Major Special Event may be one event or a series of events.

A Special Event does not include noncommercial activities, such as, but not limited to: a private party, family celebration or gathering on private property; a civic fundraising event for a school; a special event conducted by a religious organization such as a church picnic, dance, dinner, auction, not including a carnival or fair involving electronic rides, amusements and food for sale to the public.

The ordinance provides procedures for the applicant to follow when applying for an event. There are rigorous sets of standards to adhere to and guide the applicant including that the property owner notifies their neighbors of said event and advertise said event in the paper. A neighbor can appeal the event as well and there are procedures put in place on how the appeal process works.

The Township Clerk and Township Engineer can issue a minor event license if the applicant has satisfied all the requirements and the Township Clerk can also refer the minor event application to the Township Committee for review prior to either issuing the license or denying the license. The Township Committee can only issue a Major Special Event License.

Township Planner Banisch indicated that a license may take up to 60 days to turn around assuming there is no appeal and also depends on the quality of the application

submission. The pre-application process gives the Township Clerk and Township Engineer a scale of the event. The following steps are required in the license process:

- 1.) Pre-application meeting with the applicant, the Township Clerk and Township Engineer.
- 2.) Followed up with a standard application submitted with the appropriate license and escrow fees.
- 3.) Formal review is done by the Township Clerk and Township Engineer

The special events license addresses the event so that the applicant does not have to be heard before the Land Use Board nor abide by County and State restrictions. The County Agriculture Development Board (CADB) has reviewed the ordinance and their comments were taken into consideration by the Land Use Board. The CADB is satisfied that the applicant has the ability to come before them to have their activity approved if it is denied by the Township and felt that the ordinance is not overly restrictive.

The license is valid for only one year and the applicant would need to re-apply each year. The Land Use Board removed the cap as to how many events someone can have but changed the language to reflect that the applicant's events:

1. Is conducted no more frequently than three (3) consecutive days excluding preparation and clean up and is conducted no more than 3 weeks in a row.
2. Does not involve overnight lodging, public accommodations, or visitation.
3. Does not involve construction of new buildings or structures.
4. Does not involve outdoor storage, outdoor display of items for sale or signs that are visible to the public or neighbors for more than 30-days.
5. Is conducted between the hours of 9:00 am to 10:00 pm.

Further noted in the discussion is that properties do not have to be farm assessed and if there are complaints received by neighbors then the Township does not have to renew the license the following year. The ordinance can be amended in the future as the process goes along to see what works and does not work.

The Township Committee would like language added in the ordinance to reflect that the special events licenses are applicable to all residents and just not farm assessed lands. The ordinance implies this to an extent, but the Township Committee would like it clearly defined.

Township Atty. Dragan noted that the ordinance should include language that reflects, "to protect the public's safety and welfare" in the statement and subsection F.

The Township Committee discussed making the minor event license process much simpler and to have the minor event license issued in 30 days or less. Township Planner Banisch noted that a one to two-page application can be drafted and that the Township Committee could approve the application. Twp. Atty. Dragan noted that the application should be attached to the ordinance. Also, suggested by Township Planner Banisch is that during the pre-application meeting the Township Engineer can advise the applicant of what items they need and do not need to streamline the process.

Elimination of the legal notice to neighbors will be added to the ordinance for a minor special events license and for 3 or less events a year.

Township Planner Banisch will amend the ordinance with tonight's suggestions and circulate a word document to track everyone's comments and changes.

Mayor Plumer would like to have a 1st Reading of the ordinance for the November 11th meeting. Township Planner Banisch noted that the amendments being made by the Township Committee do not have to go back before the Land Use Board for approval since the ordinance does not impact the Master Plan.

- Furlong Farm, B-21.04, L-19.04 Farm Preservation – Parcel Not on a Target Farm List

The Township has been asked by the Hunterdon County Agriculture Development Board (CADB) if they would support the preservation of Furlong Farm B-21.04, L-19.04 in Alexandria Township. The property owner owns two lots that make up the farm: 1 lot in Franklin Township and 1 lot in Alexandria Township. The owner wants to preserve the farm, but the State regulations require that the farm must be on the Township's target farm list. Before the CADB can act on the preservation, the CADB must go to the Township for comments. Due to split zoning, the CADB met with Franklin Township Officials on October 22nd and they were okay with the preservation. Township Planner Banish advised the Township Committee that in order to make their decision on the farm preservation they need to consider several factors such as the reduction of future commercial development opportunities and the impact of the property remaining farmland to nearby neighborhoods/dwellings. The Township's Open Space/Farmland Preservation Commission is in support of the farm preservation along with the Township Committee. Comm. Kiernan made a motion, seconded by Comm. Pfefferle to add Furlong Farm B-21.04, L-19.04 to the Township's target farm list and to authorize a letter to the CADB of their support of the preservation.

Roll Call: Aye: Plumer, Kiernan, Pfefferle

Nay: None

Abstain: None

Motion Carried

- Best Practices

Township Committee reviewed the Best Practices questions answered by the Finance Department. The Township will continue to receive 100% of State Aid. The deadline to submit the Best Practices to the State is November 5th.

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to approve the Best Practices with the following two answers to be changed:

- 1.) The Fair Labor Standards Act (FLSA) is a federal law requiring that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and thus not entitled to overtime pay.

Other municipal employees may also be classified as exempt under the FLSA (please consult labor counsel for detailed guidance). Exempt status also precludes overtime pay for time worked during emergencies, attendance at night meetings and participation in training sessions. Compensated leave time in lieu of cash payments is considered a form of overtime pay unless such leave is utilized in the same pay period. Does your municipality not pay overtime to employees classified as exempt under the FLSA? *Finance answered NO, the Township Committee would like to change the answer to YES.*

- 38.) Is your municipality currently in negotiations with another local government or board of education to either provide or receive one or more of the following shared services? If the fact that negotiations are taking place has not yet been made public, this question may be answered No. Negotiations must be for Police, Dispatch, Public Works, Fire, and BOH. *Finance answered NO, the Township Committee would like to change the answer to YES.*

Roll Call: Aye: Plumer, Kiernan, Pfefferle

Nay: None

Abstain: None

Motion Carried

Mayor Plumer noted that he has reached out to the Alexandria School Board regarding a shared service for lawn cutting and asked them to be prepared to speak with the Township Committee on the matter when they came to the Township meeting on September 9th. The School Board members did not come prepared to discuss the matter and no discussion ensued.

BILL LIST

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to approve the October 28, 2020 bill list. Comm. Pfefferle asked about a policy that was to be put into place for Township employees to attend classes and to join memberships. Mayor Plumer will sit down with Township Clerk/Administrator Bobrowski to draft a policy.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

OLD BUSINESS

- Barn Roof Grant

AEA Member Judy Tucker asked for an update on the County Grant for the barn roof. Township Clerk/Administrator Bobrowski noted that the Township has not received the grant award letter or resolution from the Freeholders to date. The Finance Department advised Township Clerk/Administrator Bobrowski late in the afternoon today that the letter that the AEA supplied was not sufficient and that an amended letter is needed along with a check for the amount the AEA is putting towards the barn roof. Finance Assistant Rees advised that an ordinance may not be needed as earlier indicated and will be contacting the State regarding the matter. AEA Member Judy Tucker asked for an update

as well on the fire alarm at the barn. Township Clerk/Administrator Bobrowski advised the AEA that the fire alarm has been repaired at the barn.

PUBLIC COMMENT ON GENERAL MATTERS

None

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to go into Executive Session. (7:44 PM)

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Open Public Meetings Act RESOLUTION- Executive Session

WHEREAS, N.J.S.A. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE, BE IT RESOLVED by the Township of Alexandria, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

_____ A confidential or excluded matter under Federal or State Law or Court Rule.

_____ A matter involving information that may impair the Township's rights to receive funds from the United States Government.

_____ A matter constituting an unwarranted invasion of an individual's privacy rights.

 X Collective Bargaining Agreement or negotiation of the Agreement.
DPW Contract

_____ Matters involving the purchase, lease or acquisition of real property with public funds which it could adversely affect the public interest if discussion were disclosed.

_____ Tactics and techniques to protect the safety and property of the public, including investigations of violations or potential violations of the law.

_____ Pending or anticipated litigation or contract negotiations in which the public body is or may become a party.

_____ Matters falling within the attorney-client privilege.

 X Personnel matters involving a specific employee or officer of the Township.
CFO Steinberg
Peter Rees

_____ Deliberations of the Township occurring after a public hearing that may result in the imposition of a specific penalty or suspension or loss of a license or permit.

3. It is anticipated at this time that the above matter will be made public: at the conclusion of the litigation and at such time as attorney client confidentiality is no longer needed to protect confidentiality and litigation strategy.

4. The executive session minutes will be placed on file in the township clerk's office, and will be available to the public as provided for by New Jersey law.
 5. This Resolution shall take effect immediately.
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Comm. Pfefferle made a motion, seconded by Comm. Kiernan to return to Public Session **(8:10 PM)**.

Roll Call: Aye: Plumer, Kiernan, Pfefferle

Nay: None

Abstain: None

Motion Carried

Comm. Kiernan made a motion, seconded by Mayor Plumer to ratify the separation agreement with CFO Steinberg.

Roll Call: Aye: Plumer, Kiernan

Nay: None

Abstain: Pfefferle

Motion Carried

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to approve Resolution 2020-121.

Roll Call: Aye: Plumer, Kiernan, Pfefferle

Nay: None

Abstain: None

Motion Carried

RESOLUTION 2020-0121 TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY APPOINTING EDWARD PETER REES AS CHIEF FINANCIAL OFFICER

WHEREAS, the Township of Alexandria is in need of a Chief Financial Officer (CFO) due to a vacancy, and;

WHEREAS, Edward Peter Rees is qualified for this position;

NOW, THEREFORE, BE IT RESOLVED, effective this date the Township Committee of the Township of Alexandria, County of Hunterdon, State of New Jersey, does hereby appoint **Mr. Edward Peter Rees** to the position of **Chief Financial Officer** for the Township of Alexandria. A salary of \$35,000.00 will be paid annually for up to 16 hours of work each week. All bank accounts, cash management plans, etc. that the Township's former Chief Financial Officer Ulrich Steinberg was authorized to act upon shall be accordingly changed to reflect the name of Edward Peter Rees to coincide with this appointment. This appointment shall take effect immediately and will be until December 31, 2020.

The following matters were discussed in Executive Session:

- CFO Steinberg-Matter to stay in Executive Session
- DPW Contract-Matter to stay in Executive Session

MOTION TO ADJOURN

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to adjourn at 8:15PM.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Meeting Adjourned at 8:15 PM.

Respectfully Submitted:

Michele Bobrowski, CMC/RMC

Township Clerk

I hereby certify that I have reviewed these Minutes of the Township Committee Meeting of October 14, 2020 and certify that said Minutes were approved by the Township Committee on the 11th day of November 2020.

Gabe Plumer, Mayor